

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MICHELLE DAWLEY-HARRISON,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

CASE NO. C15-1813-BHS-MAT

REPORT AND RECOMMENDATION

Plaintiff brought this action to seek judicial review of the denial of an application for disability benefits by the Commissioner of the Social Security Administration. The Commissioner moves to dismiss due to plaintiff's failure to exhaust her administrative remedies. (Dkt. 12.) Plaintiff does not oppose the dismissal, but requests that it be without prejudice to her refiling if and when she exhausts her administrative remedies. (Dkt. 13.) The Commissioner has no objection to plaintiff's request for a dismissal without prejudice. (Dkt. 15.)

Given the above, the Court recommends this case be DISMISSED without prejudice. The Court further recommends that United States District Judge Benjamin H. Settle immediately approve this Report and Recommendation and order this case DISMISSED without prejudice. A

REPORT AND RECOMMENDATION
PAGE - 1

1 proposed order accompanies this Report and Recommendation.

2 DATED this 17th day of March, 2016.

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5 Mary Alice Theiler
6 United States Magistrate Judge
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